

Senate File 67 - Introduced

SENATE FILE 67
BY SHIPLEY

A BILL FOR

1 An Act relating to standards for carbon monoxide protection and
2 making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 100.35, subsection 1, Code 2019, is
2 amended to read as follows:

3 1. The fire marshal shall adopt, and may amend rules under
4 chapter 17A, which include standards relating to exits and
5 exit lights, carbon monoxide protection, fire escapes, fire
6 protection, fire safety and the elimination of fire hazards,
7 in and for churches, schools, hotels, theaters, amphitheaters,
8 hospitals, health care facilities as defined in [section 135C.1](#),
9 boarding homes or housing, rest homes, dormitories, college
10 buildings, lodge halls, club rooms, public meeting places,
11 places of amusement, apartment buildings, food establishments
12 as defined in [section 137F.1](#), and all other buildings or
13 structures in which persons congregate from time to time,
14 whether publicly or privately owned. Violation of a rule
15 adopted by the fire marshal is a simple misdemeanor. However,
16 upon proof that the fire marshal gave written notice to the
17 defendant of the violation, and proof that the violation
18 constituted a clear and present danger to life, and proof that
19 the defendant failed to eliminate the condition giving rise
20 to the violation within thirty days after receipt of notice
21 from the fire marshal, the penalty is that provided by law for
22 a serious misdemeanor. Each day of the continuing violation
23 of a rule after conviction of a violation of the rule is a
24 separate offense. A conviction is subject to appeal as in
25 other criminal cases.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill requires the fire marshal to adopt rules for
30 standards relating to carbon monoxide protection. A person
31 who violates a rule adopted by the fire marshal is guilty of
32 a simple misdemeanor. A simple misdemeanor is punishable by
33 confinement for no more than 30 days or a fine of at least \$65
34 but not more than \$625 or by both. However, a person who fails
35 to remedy a violation that constitutes a clear and present

1 danger to life 30 days after receiving written notice is guilty
2 of a serious misdemeanor. A serious misdemeanor is punishable
3 by confinement for no more than one year and a fine of at least
4 \$315 but not more than \$1,875.